

SUBSTITUTE FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

16596-049US1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

unassigned **10/509194**INTERNATIONAL APPLICATION NO.
PCT/ES03/00140INTERNATIONAL FILING DATE
25 March 2003PRIORITY DATE CLAIMED
26 March 2003

TITLE OF INVENTION

USE OF ADENOVIRUSES MUTATED IN THE VA GENES FOR CANCER TREATMENT

APPLICANT(S) FOR DO/EO/US

Ramon Alemany Bonastre and Manel Maria Cascallo Piqueras

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
Amendment to the claims of the International Application under PCT Article 34;
International Preliminary Examination Report;
check; and return postcard

CERTIFICATE OF MAILING BY EXPRESS MAIL
Express Mail Label No. EV 321 390 344 US
Date of Deposit: September 23, 2004

U.S. APPLICATION NO. 10/509194
unassignedINTERNATIONAL APPLICATION NO.
PCT/ES03/00140ATTORNEY'S DOCKET NUMBER
16596-049US121. ☒ The following fees are submitted:**Basic National Fee (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO..... \$1080

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO..... \$920

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$770

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$730

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY**

\$1,080.00

Surcharge of \$130 for furnishing the oath or declaration later than 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	11 - 20 =	0	x \$18
Independent Claims	1 - 3 =		x \$86
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$290

\$0.00

\$0.00

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$1,080.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$540.00

SUBTOTAL =

\$540.00

Processing fee of \$130 for furnishing the English Translation later than 30 months
from the earliest claimed priority date (37 CFR 1.492(f))

\$0.00

TOTAL NATIONAL FEE =

\$540.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$40.00

TOTAL FEES ENCLOSED =

\$580.00

Amount to be
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$580.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a)
or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

PTO Customer No: 26181

SIGNATURE

NAME

Mary Ann Dillahunt

REGISTRATION NUMBER

34,576